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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,730	02/12/2001	Donald S. Farquhar	EN9-98-122US3	8946

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EXAMINER

GOFF II, JOHN L

ART UNIT	PAPER NUMBER
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1733

DATE MAILED: 04/11/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/781,730

Applicant(s)

FARQUHAR ET AL.

Examiner

John L. Goff

Art Unit

1733

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 21 March 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 23-25, 29, 31-33, 35-37, 39-43 and 45-49.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


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Continuation of 5. does NOT place the application in condition for allowance because:

It is noted the proposed amendment overcomes the claim objections to claim 50 and the 35 U.S.C. 112 rejections for claims 23, 27, and 30. The proposed amendment does not overcome the rejection of claim 48 under 35 U.S.C. 112, second paragraph. The term "about" is a relative term. There is no teaching in the specification as to what is meant by "inorganic particles having a diameter of less than about 10 microns", and in particular, there is no discussion in the specification of inorganic particles having a diameter greater than 10 microns.

As to claim 23, applicant argues Johnson does not teach a remaining layer of resin following the processing step or the laminating step and even if it is considered Johnson teaches a remaining layer of resin following both steps the resin layer remaining after the processing step is not the same as the resin layer present after the laminating step. Johnson teaches a processing step comprising coating a dielectric material (e.g. a fluoropolymer matrix comprising fluorocarbon fibers and filler material) with a thermosetting resin such that the resin fills the interstices within the dielectric material and forms an even coating of resin on the materials surface, and following coating, Johnson teaches affecting a B-stage cure of the coated dielectric material to form a partially cured resin impregnated prepreg. Johnson further teaches a laminating step comprising laminating the prepreg on one or both sides with a copper foil through a C-stage cure. Thus, the partially cured resin impregnated prepreg has a coating of resin of its surfaces and after the B-stage cure this layer of resin remains. This is evidenced in that the dielectric material is laminated to the copper foil by the resin layer. Further, Johnson teaches that after the partially cured resin impregnated prepreg is laminated on one both sides with a copper foil there is a uniform distribution of resin around the PTFE fibers, within the interstices of the fabric, and between the layers of fabric (prepreg), i.e. the resin layer is also present after the laminating step. As to the resin layer present after lamination differing from the resin layer present after processing, the resin layer present after the laminating step differs from the resin layer present after the processing step only in that it has undergone a more complete cure during the laminating step as the laminating step is performed using heat.

Applicant further argues the Examiner has not shown that Johnson teaches the feature "wherein the conductor and the remaining layer of resin are disposed on opposite sides of the resin-impregnated fluoropolymer matrix following the laminating step". As shown in paragraph 11 of paper no. 8 and as shown above, Johnson teaches a dielectric material coated with a thermosetting resin such that the resin forms an even coating on its surfaces, and the resin is used to laminate one or both surfaces of the dielectric material to a copper foil. Johnson further teaches that after lamination the resin layers remain. Thus, Johnson meets the claimed feature.


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